

Exhibit D

From: Gannon, Kevin <kgannon@princelobel.com>
Sent: Friday, July 23, 2021 7:36 AM
To: Matthias Kamber; kvp-singular; abhansali@kblfirm.com; mkwun@kblfirm.com; wgs-singularv.google@wolfgreenfield.com; Matthias Kamber
Cc: singular@princelobel.com; phayes@princelobel.com
Subject: RE: Singular Computing LLC v. Google LLC; Case No. 1:19-cv-12551 FDS - Notice of Deposition of Google LLC Pursuant to Fed .R. Civ. P. 30(b)(6)
Attachments: Plaintiff's Rule 30(b)(6) Notice.pdf

[EXTERNAL]

Counsel,

Attached please find the Notice of Deposition of Google LLC Pursuant to Fed .R. Civ. P. 30(b)(6).

Thanks,
Kevin

Kevin Gannon



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**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SINGULAR COMPUTING LLC,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

Civil Action No. 1:19-cv-12551-FDS

NOTICE OF DEPOSITION OF GOOGLE LLC
PURSUANT TO FED. R. CIV. P. 30(B)(6)

PLEASE TAKE NOTICE that Plaintiff depose, by oral questions, Defendant, pursuant to Fed. R. Civ. P. 26 and Fed. R. Civ. P. 30(b)(6), regarding the matters identified in the attached Schedule A.

The deposition will occur remotely by videoconference, commencing at 9:00 am PT on July 29, 2021, or at another mutually agreed date and time. The deposition will continue from day to day until complete.

The deposition will be held before a qualified court reporter and will be recorded videographically and stenographically.

Prior to the deposition, Defendant shall designate in writing to Plaintiff the name(s) of the person(s) who will testify on its behalf in response to this Notice.

Dated: July 23, 2021

By: /s/ Paul J. Hayes
Paul J. Hayes (BBO #227000)
Matthew D. Vella (BBO #660171)
Kevin Gannon (BBO #640931)
Daniel J. McGonagle (BBO #690084)
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ATTORNEYS FOR THE PLAINTIFF

CERTIFICATE OF SERVICE

I certify that on July 23, 2021, I served this document on Defendant by sending a copy via email to Defendant's counsel of record.

/s/ Paul J. Hayes

SCHEDULE A

DEFINITIONS AND INSTRUCTIONS

The following definitions and instructions shall apply to each of the following topics of examination.

1. “Google,” “you” “Defendant” or “your” means Google, LLC, its employees, officers, directors, attorneys, and its agents, parents, subsidiaries, branches, predecessors, or successors-in-interest, or any other persons who have acted or purported to act for its behalf.

2. “Plaintiff” or “Singular” means Singular Computing LLC.

3. “Accused Products” means all products, computer systems, devices, and other hardware/software identified in Plaintiff’s Amended Complaint (Dkt. 37) and in Plaintiff’s Infringement Contentions, including without limitation at least:

- i. Google Cloud Tensor Processing Unit Version 2 (“TPU v.2”);
- ii. Google Cloud Tensor Processing Unit Version 3 (“TPU v.3”);
- iii. Software that runs workloads on TPU v.2 or TPU v. 3 including TensorFlow; and
- iv. Larger compute systems that incorporate (i), (ii) and/or (iii) such as TPU Pods.

4. “Accused Services” means all Google services delivered in whole or in part by use of any Accused Product, including Translate, Photos, Search, Assistant, Gmail and Cloud (including Cloud AI and Cloud TPU) .

5. “Asserted Patents” or “Patents-in-Suit” refers, collectively, to US Patent Nos. 8,407,273 (“’273 Patent”); 9,218,156 (“’156 Patent”); and 10,416,961 (“’961 Patent”), as well as any other patent(s) that Plaintiff asserts in this action.

6. “Communication” means the transmittal or receipt of information (in the form of facts, ideas, inquiries, or otherwise) regardless of the medium used to transmit or receive the information.

7. “Document” is synonymous in meaning and equal in scope to the usage of this term in Fed. R. Civ. P. 34(a). Any draft or non-identical copy is a separate document within the meaning of this term. Documents include communications.

8. “Person” means any natural person or any business, legal, or governmental entity or association.

MATTERS FOR EXAMINATION

The deponent(s) shall be prepared to address the following topics:

1. The Appendix to Google's Responsive Contentions Regarding Non-Infringement and Invalidity dated November 6, 2020.